

## Coast Guard, DHS

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AUTHORITY: 33 U.S.C. 1231; 46 U.S.C. 3306, 3703, 3715(b); 45 FR 58801, 3 CFR, 1980 Comp., p. 277; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGD 88-102, 55 FR 25446, June 21, 1990, unless otherwise noted.

## Subpart 39.10—General

### § 39.10-1 Applicability—TB/ALL.

(a) Except as specified by paragraph (c) of this section, this part applies to each tank vessel operating in the navigable waters of the United States, when collecting vapors of crude oil, gasoline blends, or benzene emitted from a vessel's cargo tanks through a vapor control system.

(b) A tank vessel which transfers vapors of flammable or combustible cargoes other than crude oil, gasoline blends, or benzene, to a facility covered by 33 CFR part 154 must meet the requirements prescribed by the Commandant (G-MSO).

(c) A tank vessel with an existing vapor collection system specifically approved by the Coast Guard for the col-

lection of cargo vapor which was operating prior to July 23, 1990, is subject only to § 39.30-1 and § 39.40-5 of this part as long as it transfers cargo vapor only to the specific facilities for which it was approved.

(d) This part does not apply to the collection of vapors of liquefied flammable gases as defined in § 30.10-39 of this subchapter.

[CGD 88-102, 55 FR 25446, June 21, 1990, as amended by CGD 95-072, 60 FR 50462, Sept. 29, 1995; CGD 96-041, 61 FR 50727, Sept. 27, 1996]

### § 39.10-3 Definitions—TB/ALL.

As used in this part:

*Cargo deck area* means that part of the weather deck that is directly over the cargo tanks.

*Existing vapor collection system* means a vapor collection system which was operating prior to July 23, 1990.

*Facility vapor connection* means the point in a facility's fixed vapor collection system where it connects with the vapor collection hose or the base of the vapor collection arm.

*Independent* as applied to two systems means that one system will operate with a failure of any part of the other system except power sources and electrical feeder panels.

*Inerted* means the oxygen content of the vapor space in a cargo tank is reduced to 8 percent by volume or less in accordance with the inert gas requirements of § 32.53 or § 153.500 of this chapter.

*Lightering* or *lightering operation* means the transfer of a bulk liquid cargo from a tank vessel to a service vessel.

*Marine Safety Center* means the Commanding Officer, U.S. Coast Guard Marine Safety Center, 400 Seventh Street, SW., Washington, DC 20590-0001.

*Maximum allowable transfer rate* means the maximum volumetric rate at which a vessel may receive cargo or ballast.

*New vapor collection system* means a vapor collection system which is not an existing vapor collection system.

*Service vessel* means a vessel which transports bulk liquid cargo between a facility and another vessel.

*Topping-off operation* means the transfer of a bulk liquid cargo from a service vessel to another vessel in